

The opinion in support of the decision being entered today was not written for publication and is not binding precedent of the Board

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte DANIEL O. RAMOS,
KEVIN C. JONES and GEOFFREY B. RHODES

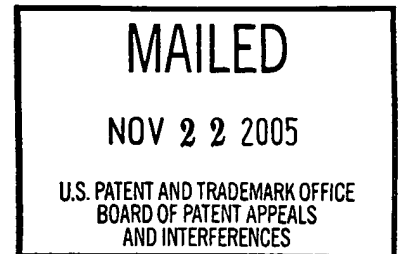
Application No. 09/636,102

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was electronically received at the Board of Patent Appeals and Interferences on August 31, 2004. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matters requiring attention prior to docketing are identified below.

NOTICE OF APPEAL

A Notice of Appeal was filed April 21, 2004, however, the \$330.00 required fee has not been applied against the deposit account, No. 50-1071, as authorized by appellant. The fee needs to be charged.



APPEAL BRIEF

An Appeal Brief was filed August 23, 2004. The \$340.00 required fee has not been applied against the deposit account, No. 50-1071, as authorized by appellant. The fee needs to be charged to the deposit account.

INFORMATION DISCLOSURE STATEMENT

Appellant filed two (2) Information Disclosure Statements, one dated September 27, 2001 and one dated October 22, 2003. There is no indication of record that either one of the Information Disclosure Statements were considered by the Examiner. A written communication notifying appellant of the Examiner's consideration of both Information Disclosure Statements is required.

Accordingly, it is

ORDERED that the application is returned to the

- 1) to have the \$330.00 Notice of Appeal fee applied to Account No. 50-1071;
- 2) to have the \$340.00 Appeal Brief fee applied to Account No. 50-1071;
- 3) consideration and proper written response to the Information Disclosure Statements filed September 27, 2001 and October 22, 2003; and
- 4) for such further action as may be appropriate.

Application No. 09/636,102

It is important that the Board of Patent Appeals and Interferences be informed promptly of any action affecting the appeal (i.e. abandonment, issue, reopening prosecution).

BOARD OF PATENT APPEALS
AND INTERFERENCES



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Application No. 09/636,102

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